REMARKS

Claims 1-16 are pending in the application. Claims 1-7 have been amended, and claims 8-16 are newly added. Reconsideration of the rejection and allowance of the pending application in view of the following remarks are respectfully requested.

As an initial matter, Applicant would like to thank the Examiner for accepting the drawings filed on July 17, 2003, for acknowledging Applicant's claim for foreign priority and receipt of the priority document, and for considering all of the documents cited in the Information Disclosure Statement filed on October 17, 2003.

In the Office Action, the Examiner rejected claims 1-7 under 35 U.S.C. §103(a) as being unpatentable over Matsumoto et al. (U.S. Patent Application Publication No. 2002/0054625) in view of Imaizumi et al. (U.S. Patent No. 6,707,844). Applicant respectfully traverses the rejection for at least the following reasons.

In the specification of the present application, Applicant discloses an embodiment of a method for creating a delay profile which includes, inter alia, receiving a CDMA radio signal experiencing a multipath condition, buffering received data corresponding to a first path in a first bank of a storage memory during a first time interval, buffering received data corresponding to a second path in a second bank of the storage memory during a second time interval, and simultaneous to buffering the received data corresponding to the second path, reading the received data corresponding to the first path from the first bank and supplying the received data corresponding to the first path to a correlation detector.

Matsumoto is directed towards a matched filter and a correlation detection. In the

10

Office Action, the Examiner acknowledges that Matsumoto does not disclose storing received data corresponding to a first path in a first bank of a storage memory, and storing received data corresponding to a second path in a second bank of the storage memory. However, the Examiner asserts that Imaizumi teaches these features, and that Applicant's claimed invention is obvious in view of the combined teachings of Matsumoto and Imaizumi. Applicant respectfully disagrees.

Imaizumi is directed towards a synchronous circuit and receiver. Imaizumi discloses, at col. 14, line 55 to col. 15, line 13 and Figure 5, that the receiver includes a change-over switch 31 and a control unit 10", and profile generating means 20, an A/D converter 2, and a data memory 22 corresponding to first and second branches. Imaizumi discloses, at col. 16, lines 13-20, that the control unit 10" changes the change-over switch 31 to the profile generating means 20 corresponding to the first branch, and subsequently receives the input of a signal indicating a first path position timing and stores a signal outputted by the A/D converter 2 corresponding to the first branch to the data memory 22 corresponding to the first branch.

An inner product unit 32 then reads an I phase component of the signal stored in the data memory 22, and then reads a Q phase component of the signal stored in the data memory 22. See col. 16, lines 21-25 and 36-42. Imaizumi further discloses, at col. 16, lines 50-62, that upon receiving the input of a signal indicating a second path position timing, the control unit 10" stores the signal outputted by the A/D converter 2 into the data memory 22, and the inner product unit 32 subsequently reads the I and Q phase component of the signal stored in the data memory 22.

Imaizumi additionally discloses, at col. 16, line 66 – col. 17, line 2, that the control unit 10" then changes the change-over switch 31 to the profile generating means 20 corresponding to the second branch to perform similar processing.

In view of the above, Applicant respectfully submits that Imaizumi's inner product unit 32 does not read received data corresponding to a first path from the data memory 22 <u>simultaneous</u> to received data corresponding to a second path being buffered in the data memory 22. Rather, Applicant respectfully submits that Imaizumi teaches that received data corresponding to a second path is stored in the data memory 22 only *after* received data corresponding to a first path is read from the data memory 22 by the inner product unit 32.

Thus, Applicant respectfully submits that the combination of Matsumoto and Imaizumi fails to disclose or suggest a method for creating a delay profile which at least includes, simultaneous to buffering received data corresponding to a second path in a second bank of a storage memory, reading received data corresponding to a first path from a first bank of the storage memory and supplying the received data corresponding to the first path to a correlation detector, as recited in Applicant's independent claim 1.

Similarly, Applicant submits that the combination of Matsumoto and Imaizumi also fails to disclose or suggest an apparatus for creating a delay profile in which received data corresponding to a first path is read from a first bank of a storage memory and supplied to a correlation detector simultaneous to received data corresponding to a second path being buffered in a second bank of the storage memory, as recited in independent claim 4.

12

For at least these reasons, Applicant respectfully requests the Examiner to withdraw the 35 U.S.C. § 103(a) rejection of independent claims 1 and 4 and to allow these claims.

Dependent claims 2, 3 and 5-7 are also submitted to be in condition for allowance for at least the reasons set forth with respect to independent claims 1 and 4, and additionally, for the features recited therein.

Applicant has added new claims 8-16 for the Examiner's consideration. Independent claim 8 recites an apparatus for creating a delay profile in which received data corresponding to a first path is read from a first bank of a storage memory and supplied to a correlation detector simultaneous to received data corresponding to a second path being buffered in a second bank of the storage memory. As discussed above, Applicant respectfully submits that the applied prior art fails to disclose or suggest these features.

For at least these reasons, Applicant respectfully submits that new independent claim 8, as well as new dependent claims 9, 10, 15 and 16, which depend therefrom, are allowable, and respectfully requests the Examiner to allow these claims.

Newly added dependent claims 11-16 recite a method or apparatus in which received data corresponding to a second path is read from a second bank of a storage memory and supplied to a correlation detector simultaneous to received data corresponding to a third path being buffered in the storage memory. Applicant respectfully submits that the applied prior art fails to disclose or suggest these features.

For at least these reasons, as well as because of their dependency on

13

P23984.A03

independent claims 1, 4 and 8, Applicant respectfully submits that newly added dependent claims 11-16 are allowable over the applied art of record, and respectfully requests the Examiner to allow these claims.

Based on the above, it is respectfully submitted that this application is now in condition for allowance, and a Notice of Allowance is respectfully requested.
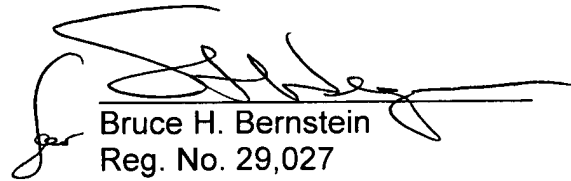
SUMMARY AND CONCLUSION

Entry and consideration of the present amendment, reconsideration of the outstanding Office Action, and allowance of the present application and all of the claims therein are respectfully requested and now believed to be appropriate. Applicant has made a sincere effort to place the present invention in condition for allowance and believes that he has now done so.

Any amendments to the claims which have been made in this amendment, and which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

P23984.A03

Should the Examiner have any questions or comments regarding this response, or the present application, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,
Naoyuki KURIHARA

Bruce H. Bernstein
Reg. No. 29,027

March 20, 2006
GREENBLUM & BERNSTEIN, P.L.C.
1950 Roland Clarke Place
Reston, VA 20191
(703) 716-1191

Steven Wegman
Reg. No. 31,438

15